

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	File No. EB-02-KC-284
United States Cellular Corporation	)	NAL/Acct. No. 20023256006
Ellsworth, Iowa	)	FRN #000-437-322

**MEMORANDUM OPINION AND ORDER**

**Adopted: October 28, 2002**

**Released: October 31, 2002**

By the Chief, Enforcement Bureau:

1. In this *Memorandum Opinion and Order* (“Order”), we cancel a ten thousand dollar (\$10,000) *Notice of Apparent Liability for Forfeiture* (“NAL”)<sup>1</sup> issued to United States Cellular Corporation (“USCC”) for apparently violating Sections 17.21 and 17.45 of the Commission’s Rules (“Rules”).<sup>2</sup> The alleged violations involved USCC’s failure to light or paint its antenna structure number 1233307, located near Ellsworth, Iowa, and its failure to install temporary warning lights on the same structure during construction.

2. On June 5, 2002, the District Director of the Commission’s Kansas City, Missouri Field Office issued the *NAL* to USCC. USCC filed a response on July 5, 2002. After considering USCC’s response and reviewing the record, we find that the monetary forfeiture should be cancelled.<sup>3</sup>

3. Accordingly, **IT IS ORDERED** that, pursuant to Section 504(b) of the Communications Act of 1934, as amended,<sup>4</sup> and Section 1.80(f)(4) of the Rules,<sup>5</sup> the *NAL* issued to United States Cellular Corporation **IS CANCELLED**.

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<sup>1</sup> *United States Cellular Corporation*, NAL Acct. No. 20023256006 (Enf. Bur., Kansas City Office rel. June 5, 2002).

<sup>2</sup> 47 C.F.R. §§ 17.21 and 17.45.

<sup>3</sup> *See* 47 U.S.C. § 504(b); 47 C.F.R. § 1.80(f)(4).

<sup>4</sup> 47 U.S.C. § 504(b).

<sup>5</sup> 47 C.F.R. § 1.80(f)(4).

4. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by first class mail and certified mail, return receipt requested, to United States Cellular Corporation, 8410 West Bryn Mawr Avenue, Suite 700, Chicago, Illinois 60631, and to its counsel, Peter M. Connolly, Esquire, at Holland & Knight, LLP, 2099 Pennsylvania Avenue, Suite 100, Washington, DC 20006.

**FEDERAL COMMUNICATIONS COMMISSION**

David H. Solomon  
Chief, Enforcement Bureau